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Attorneys for Defendant
APPLE INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

19 AYLUS NETWORKS, INC.,
20 Plaintiff,
21 v.
22 APPLE INC.,
23 Defendant.

CASE NO. 3:13-cv-04700-EMC

**STIPULATION AND [PROPOSED]
ORDER REGARDING THE TAKING OF
LIMITED PARTY AND THIRD PARTY
DISCOVERY AFTER THE FACT
DISCOVERY CUTOFF**

1 Pursuant to Civil Local Rule 6-2, Aylus Networks, Inc. (“Aylus”) and Apple Inc.
2 (“Apple”) (collectively, the “parties”) respectfully submit this Stipulation And [Proposed] Order
3 Regarding The Taking Of Limited Party And Third Party Discovery After The Fact Discovery
4 Cutoff.

5 WHEREAS, fact discovery is set to close in this case on June 4, 2015 and the deadline to
6 file motions to compel is currently set for June 11, 2015;

7 WHEREAS, the parties have been meeting and conferring to schedule depositions of
8 Apple and Aylus employees within the fact discovery period;

9 WHEREAS, the earliest date that both Taraneh Maghame, Apple’s Rule 30(b)(6) witness
10 regarding certain Aylus deposition topics, and the parties are available for Ms. Maghame’s
11 deposition is June 8, 2015 because Ms. Maghame is travelling during the last two weeks of the
12 fact discovery period;

13 WHEREAS, the earliest date that both Mark Edwards, former Aylus CEO, and the parties
14 are available for Mr. Edward’s deposition is June 19, 2015 because Mr. Edwards now works in
15 the United Kingdom;

16 WHEREAS, to accommodate Ms. Maghame and Mr. Edward’s schedules, the parties
17 agree to take these two depositions after the fact discovery cut-off;

18 WHEREAS, the parties further agree to extend the motion to compel deadline for any
19 issues that arise of Ms. Maghame’s and Mr. Edward’s depositions to until one week after each of
20 those depositions take place;

21 WHEREAS, the parties also have agreed to permit four third parties, Intel, Microsoft,
22 TWBA, and Netflix, to complete document production, and hold depositions after the close of
23 fact discovery, due to production issues, scheduling conflicts and limitations on witness
24 availability;

25 WHEREAS, to accommodate these third parties, parties request that the Court extend the
26 deadline for fact discovery as to the Intel, Microsoft, TWBA, and Netflix subpoenas to until
27 June 18, 2015, and the motion to compel deadline for any issues that arise out of the document
28 production and depositions to until one week after each of those depositions take place;

1 WHEREAS, the requested time change would not have any effect on any other dates in the
2 schedule for this case;

3 NOW, THEREFORE, the parties respectfully request that the Court issue an order
4 permitting the taking of these two party depositions and completion of document productions and
5 taking of depositions of Intel, Microsoft, TWBA, and Netflix after the close of fact discovery and
6 extending the motion to compel deadline concerning issues arising out of these party depositions
7 and third party subpoenas to until one week after each deposition takes place.

8 **IT IS SO STIPULATED.**

9 Respectfully submitted,

10 Dated: June 1, 2015

DLA PIPER LLP (US)

11 By: /s/ Erik R. Fuehrer

12 MARK D. FOWLER
13 CHRISTINE K. CORBETT
14 ROBERT BUERGI
15 ROBERT WILLIAMS
16 ERIK R. FUEHRER
17 JONATHAN HICKS

Attorneys for Defendant
Apple Inc.

18 Dated: June 1, 2015

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

19 By: /s/ Amar L. Thakur

20 HAROLD A. BARZA
21 AMAR L. THAKUR
22 VINCENT POLLMEIER

23 Attorneys for Plaintiff
24 Aylus Networks, Inc.

[PROPOSED] ORDER

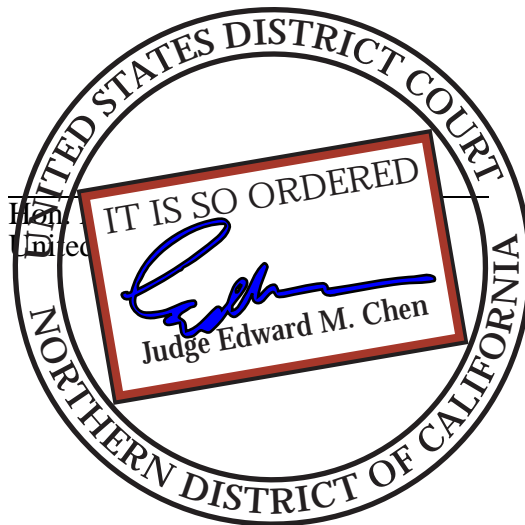
IT IS HEREBY ORDERED that:

- The deposition of Ms. Maghame may take place on June 8, 2015 and the deposition of Mr. Edwards may take place on June 19, 2015 – after the fact discovery cut-off;
- The deadline for the parties to file motions to compel related to issues with the depositions of Ms. Maghame and Mr. Edwards is hereby extended to until one week after each deposition takes place;
- The deadline for fact discovery as to the Intel, Microsoft, TWBA, and Netflix subpoenas is extended to until June 18, 2015; and
- The deadline for the parties to file motions to compel deadline for any issues that arise out of the document production and depositions of the Intel, Microsoft, TWBA, and Netflix subpoenas to until one week after each of those depositions take place.

IT IS SO ORDERED.

6/2/15

Dated: _____



ECF CERTIFICATION

I, Erik Fuehrer, am the ECF user whose identification and password are being used to file this joint motion in compliance with Civil L.R. 5-4. Concurrence to the filing of this document was obtained from counsel for Aylus Networks, Inc. on June 1, 2015.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: June 1, 2015

/s/ Erik R. Fuehrer

Erik R. Fuehrer